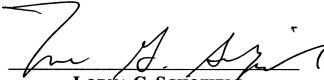


SIDLEY

Application **GRANTED**. The motion at Dkt. 17 is **DENIED** as moot. By **February 25, 2025**, Defendant shall file any renewed motion to compel. By **March 14, 2025**, Plaintiff shall file any opposition. By **April 2, 2025**, Defendant shall file any reply. The filings shall comply with Individual Rule III.B. So Ordered.

Dated: February 10, 2025
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

REESE LLP

Via ECF

February 7, 2025

Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Vargas v. Barclays Bank Delaware*
Case No. 1:24-cv-06549-LGS

Dear Judge Schofield:

The parties write as directed by the Court (ECF No. 48) to provide an update on their meet and confer discussions regarding the arbitrability of this action. On February 1, 2025, Defendant Barclays Bank Delaware (“Barclays”) provided counsel for Plaintiff with the customer agreements for the three credit card accounts that Plaintiff holds with Barclays, each of which Defendant contends (but Plaintiff contests) contains an agreement to arbitrate. The parties met and conferred on February 4, 2025, during which time counsel for Plaintiff informed Barclays that Plaintiff’s position remains that the present dispute is not arbitrable. Because the parties are at an impasse on the issue of arbitration, and because the prior motion was briefed without the benefit of Plaintiff’s identification and relevant customer agreements,¹ the parties agreed that it would be most efficient for Barclays to file a renewed motion to compel arbitration based on the current record. Accordingly, the Parties respectfully request a briefing schedule be entered as agreed to by the Parties immediately below:

Defendant’s opening brief:	February 25, 2025
Plaintiff’s opposition:	March 14, 2025
Defendant’s reply:	April 2, 2025

¹ On January 24, 2025, Plaintiff asked the Court for permission to proceed pseudonymously for the reasons stated under seal in Plaintiff’s submission to the Court. ECF No. 45. On January 29, 2025, Barclays submitted a letter opposing Plaintiff’s request. ECF No. 52. The Parties continues to reserve all rights related to this issue pending a decision from the Court, and for the avoidance of doubt, Barclays maintains the objections set forth in its January 29 letter as to Plaintiff’s conduct in these proceedings.

Page 2

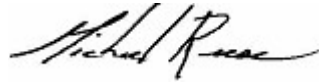
Amy P. Lally (admitted *pro hac vice*)
SIDLEY AUSTIN LLP
1999 Avenue of the Stars, 17th Floor
Los Angeles, CA 90067
Telephone: (310) 595-9500
Facsimile: (310) 595-9501
Email: alally@sidley.com

Respectfully submitted,

By: /s/ Christina Prusak Chianese (with permission)
Christina Prusak Chianese
SIDLEY AUSTIN LLP
787 Seventh Avenue
New York, NY 10019
Telephone: (212) 839-5300
Facsimile: (212) 839-5599
Email: cchianese@sidley.com

M. Ross (admitted *pro hac vice*)
SIDLEY AUSTIN LLP
1001 Brickell Bay Drive
Miami, FL 33131
Telephone: (305) 391-5100
Facsimile: (305) 391-5101
Email: iross@sidley.com

Counsel for Defendant Barclays Bank Delaware



Michael R. Reese
REESE LLP
100 West 93rd Street, 16th Floor
New York, New York 10025
Telephone: (212) 643-0500
Email: mreese@reesellp.com

Counsel for Plaintiff and the Proposed Class

cc: All counsel of record (via ECF)

Error! Unknown document property name.